

YOUTH IN CUSTODY PROGRAM

HISTORICAL PERSPECTIVE

REMEMBRANCE
OF
DAYS PAST

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JUNE 10, 1986
A PERSONAL RECOLLECTION OF THE BIRTH OF YOUTH IN CUSTODY

Youth in Custody is a product of a revolution in Utah's Juvenile Justice System. Governor Bangerter and Matheson recently called it a "Quiet Revolution"; however, for those of us who participated, it was anything but quiet.

In 1972, Massachusetts dramatically closed all the institutions for delinquents. 1974 saw the passage of the Juvenile Justice Act in the U.S. Congress. 1974 gave us a Federal Civil Rights suit against what was the State Industrial School (more recently, Youth Development Center). In 1977, the State Legislature provided \$150,000 as seed money to develop community based alternative and in 1978 Utah agreed to de-institutionalize status and non-offenders and meet other federal regulations per the 1974 Juvenile Justice Act and received \$800,000 to use in community alternative programs.

In those turbulent and fast moving times, Social Services (Youth Corrections was not a Division until 1981) the Utah State Office of Education, the Legislature and interested citizen groups were busy forming Blue Ribbon Task Forces, Committees on Alternative for Troubled Youth (CATY), Troubled Youth Task Forces, Legislative Interim Study Committees and many others too numerous to mention.

At the same time, the Youth Development Center (YDC) was independently making significant changes. The length of incarceration, for example, was being systematically reduced and organizational changes were occurring. In 1977 the educational program was transferred from Social Services to the local Ogden School system along with a staff of twenty and the Social Services budget of \$441,437.23 and Title I (Federal Special Education Funds) of \$114,981.55 to fund it. Douglas Bates, Ph.D., J.D., YDC Director of Education led this effort along with directing surveys on what was happening to the ex-YDC student. Doug found that out of 207 residents released during the 1976-77 school year only 96 or 46 percent enrolled in their local schools. One large metropolitan district received 51 returnees; nineteen enrolled and at the end of the school year only one was still attending!

Doug took a leadership role in forming relationships with local districts and drafted the unique “Youth in Custody” bill which was submitted to the 1978 Legislature as the H.B. 78 and sponsored by Representatives Charles Bennett, Dale Stratford, and John Ulibarri. As far as we know, there is no precedent in the nation though Doug did appropriate some ideas from Title I regulations. The Bill died an ignominious death after those associated with it were accused of being “un-witting dupes of the Communist party” etc., for trying to further regulate public education and take control of private educational organizations.

Following the 1978 session a bowed but unbeaten and far wiser group formed a task force of seventeen individuals (see attached) who were able to be more effective and S.B. 43 was introduced by Senator Ron Halverson and passed when an amendment was added that the statute would sunset in 1981. Dupes apparently were more acceptable to the Senate in 1979.

The bill was also different than the 1978 version in that the earlier bill would have included adults in custody and all institutions such as the Training School, State Hospital, and Prison and possibly the jails. With these agencies excluded, statewide Juvenile Detention was included. Division of Family Services kids or non-delinquent, neglected, and abused cases were always included.

The 1978 and 1979 Bills had no fiscal note but approximately \$500,000 was transferred from YDC to the Utah State Office of Education along with other education funds ear marked. The State Coordinating Council, local advisory boards, etc., did not appear in the 1978 version. In one year, a great deal of sophistication in bill passing occurred. 1981 saw the re-passage of the statute introduced as S.B. 121 and sponsored by then Senator Dale Stratford.

The early days of YIC were characterized by informality, inadequate budgets and minimal participation of school districts away from the Wasatch Front. The Coordinating Council was composed of the Directors of DFS, Juvenile Court, State Office of Education, and YDC. Additional members included representatives of Copper Mountain Mental Health, Granite and Ogden School Districts, and the Salt Lake Detention Center or their representatives. Most sent representatives.

Funding and the programs would have been a disaster in the early days if not for the complete support of the then State Superintendent of Schools, Walter Talbot. On numerous occasions he gave Carte Blanche to YIC to overspend its meager budget and supported budget increases in the Legislature. Doug Bates also demonstrated creativity almost to the point of larceny.

Along with YIC was born the Troubled Youth Conference. Few attended the first year and Doug and I counted noses and bought Colonel Sanders box lunches for the final day – but that's a different story.

Wayne Holland